

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 18-cr-10025-KMM

UNITED STATES OF AMERICA,

Plaintiff

v.

JAVARS ANQUN DAVIS,

Defendant.

ORDER ON REPORT AND RECOMMENDATION

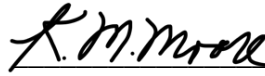
THIS CAUSE came before the Court upon Defendant Javars Anqun Davis' ("Defendant") Motion to Suppress ("Motion") (ECF No. 18). The Court referred the Motion to the Honorable Lurana S. Snow, United States Magistrate Judge, who issued a Report and Recommendation (ECF No. 35) recommending that the Motion be denied. Defendant filed Objections (ECF No. 47).

The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1).

UPON CONSIDERATION of the Motion, the Report and Recommendation, the Objections, the pertinent portions of the record, and being otherwise fully advised in the premises, the Report and Recommendation (ECF No. 35) is hereby ADOPTED. For the reasons set forth in Magistrate Judge Snow's thorough and persuasive Report, Plaintiff's Motion to Suppress (ECF No. 35) is DENIED.¹

¹ On January 24, 2019, in support of the Motion, Defendant moved the Court to compel the United States to produce any additional dash cam footage within its possession. Motion to Compel (ECF No. 37). In response, the United States stated that it would voluntarily provide to Defendant any remaining dash cam footage within its possession by January 28, 2019. Response (ECF No. 42). The Court assumes that such footage was duly provided to Defendant. Notably,

DONE AND ORDERED in Chambers, at Miami, Florida this 30th day of January,
2019.

A handwritten signature in black ink, appearing to read "K. Michael Moore", is written over a horizontal line.

K. MICHAEL MOORE
UNITED STATES CHIEF DISTRICT JUDGE

C: All counsel of record

Defendant filed his Objections on January 30, 2019, two days after ostensibly being provided with this footage. The Objections do not appear to take issue with the R&R based upon any additional footage provided by the United States. Accordingly, because all relevant footage within the United States' possession has been turned over to Defendant and Defendant did not object to the R&R on the basis of any additional video evidence, the Court DENIES AS MOOT Defendant's Motion to Compel (ECF No. 37).